

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

Civil Action No. 12-mc-0115 (JSR)

In re:

MADOFF SECURITIES

**NOTICE OF MOTION FOR CERTIFICATION OF INTERLOCUTORY APPEAL
UNDER 28 U.S.C. § 1292(b)**

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Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and Bernard L. Madoff*

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, and upon all prior pleadings and proceedings herein, the undersigned, counsel to plaintiff Irving H. Picard, as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”), respectfully move this Court to amend its Opinion and Order of April 28, 2014 (the “Order”) to certify that Order for immediate appeal pursuant to 28 U.S.C. § 1292(b) because it involves controlling questions of law as to which there is substantial ground for difference of opinion and because an immediate appeal will materially advance the ultimate termination of the litigations.

PLEASE TAKE FURTHER NOTICE that pursuant to the briefing schedule approved by the Court on June 4, 2014, the Securities Investor Protection Corporation may file its brief in support on **June 12, 2014**; responsive papers, if any, shall be filed and served on or before **July 2, 2014**. Any reply papers shall be filed and served on or before **July 16, 2014**. The Motion will be considered on the papers and no oral argument will be held.

Date: June 5, 2014
New York, New York

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As to the following actions:

Picard v. Hoboken Radiology, et al.,
Adv. Pro. No. 10-05386, Civil Action
No. 12-cv-02290

Picard v. Edward Blumenfeld, et al.,
Adv. Pro. No. 10-04730, Civil Action No.
12-cv-02405

Picard v. Credit Suisse AG, et al.,
Adv. Pro. No. 11-02925, Civil Action No.
12-cv-02454

Picard v. Solon Capital, Ltd., Adv. Pro.
No. 12-01025, Civil Action No.
12-cv-02456

Picard v. Zephyros Limited, Adv. Pro.
No. 12-01278, Civil Action No.
12-cv-03533

Picard v. Mistral (SPC), Adv. Pro. No.
12-01273, Civil Action No. 12-cv-03532

Picard v. Trincaster Corporation,
Adv. Pro. No. 11-02731, Civil Action
No. 12-cv-02486

Picard v. Credit Suisse AG, as
successor-in-interest to Clariden Leu AG
and Bank Leu AG, Adv. Pro. No.
12-01676, Civil Action No. 12-cv-04724

Picard v. Royal Bank of Canada, et al.,
Adv. Pro. No. 12-01699, Civil Action No.
12-cv-04938

Picard v. Robert Nystrom, Adv. Pro. No.
10-04399, Civil Action No. 12-cv-02403

Picard v. Societe Generale Private Banking
(Suisse) S.A., (f/k/a SG Private Banking
Suisse S.A.), et al., Adv. Pro. No. 12-01677,
Civil Action No. 12-cv-08860

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Investment Securities LLC and Bernard L.
Madoff

As to the following actions:

Picard v. Caceis Bank Luxembourg, et al.,
Civil Action No. 12-cv-02434

Picard v. Credit Agricole (Suisse) S.A., et
al., Civil Action No.
12-cv-02494

Picard v. Credit Agricole Corporate and
Investment Bank, Civil Action No. 12-cv-
04867

Picard v. Barfield Nominees Limited, et al.,
Civil Action No. 12-cv-05278

Picard v. Intesa Sanpaolo SPA, et al., Civil
Action No. 12-cv-06291

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